

Panaji, 8th August, 2013 (Sravana 17, 1935)

SERIES II No. 19

# OFFICIAL GAZETTE

## GOVERNMENT OF GOA



PUBLISHED BY AUTHORITY

**GOVERNMENT OF GOA**

Department of Education, Art &amp; Culture

Directorate of Technical Education  
Polytechnic Section**Order**

No. 26/4/49/2013/DTE/1311

Read: Memorandum No. 26/4/49/2013/DTE/666  
dated 04-06-2013.

On the recommendations of the Goa Public Service Commission conveyed vide their letter No. COM/I/5/34(5)/07/77 dated 16-05-2013, Government approval is hereby conveyed to appoint Kum. Siddhi Satish Pai, on temporary basis to the post of Lecturer in Electrical Engineering (Group 'A' Gazetted) in the Government Polytechnic, Curchorem-Goa on an initial basic pay of ₹ 15,600/- with AGP of ₹ 5,400/- and other allowances as admissible in the Pay Band of ₹ 15,600-39,100 with AGP of ₹ 5,400/- with effect from the date of her joining the post as per the terms and conditions contained in the memorandum cited above.

Kum. Siddhi Satish Pai will be on probation for a period of two years.

She should join duties within 30 days of the receipt of this order, failing which this order is liable to be cancelled without further notice.

She has been declared fit by Medical Board, Goa Medical College & Hospital, Bambolim vide letter No. 4/105/85/H/GMC/332 dated 05-07-2013. Her character and antecedents has been verified by Additional District Magistrate, North Goa, Panaji and nothing adverse has been reported against her.

By order and in the name of the Governor of Goa.

Vivek B. Kamat, Director & ex officio Addl. Secretary (Technical Education).

Porvorim, 31st July, 2013.

Department of Forest

**Order**

No. 4-2-2001-02/FOR/162

On the recommendation of the Local Departmental Promotion Committee, Government is pleased to promote the following Range Forest Officers to the post of Assistant Conservator of Forests, Group 'B' Gazetted in Forest Department on ad hoc basis in the pay scale of ₹ 9,300-34,800-+Grade Pay ₹ 4,600/- and other allowances admissible as per the Rules, with immediate effect.

1. Shri Govind R. Mashelkar.
2. Shri Amar A. Heblekar.
3. Shri Shrikrishna R. Prabhu.

The said ad hoc promotion shall be for an initial period of one year or till the vacancies are filled on regular basis, whichever is earlier.

The above ad hoc promotion shall not bestow on them any claim for regular appointment or the service rendered by them on ad hoc basis in the grade shall not count for the purpose of seniority in the grade for eligibility for promotion to the next higher grade, if any.

By order and in the name of the Governor of Goa.

Sangeeta S. Rawool, Under Secretary (Forests).  
Porvorim, 13th May, 2013.

**Department of Home**Home—General Division  
Office of the Director General of Police**Order**

No. CA-I/224/Ad Prom Dy. SP/8733/2013.

Read: Order No. CA-I/224/Dy. SP/3868/2013  
dated 12-04-2013.

The ad hoc promotion of the following Officers (Dy. Superintendent of Police) in Junior Scale of Goa Police Service is hereby extended as shown below:

Sr. No.	Name & place of posting	Extension period of ad hoc promotion
1.	Smt. Rina Torcato, CID, FB, Panaji	01-05-2013 to 31-10-2013.
2.	Shri Mahesh K. Gaonkar, S.D.P. O., Panaji	01-05-2013 to 31-10-2013.
3.	Shri Gajanan V. Prabhudessai, S.D.P.O., Bicholim	01-05-2013 to 31-10-2013.
4.	Shri Naresh V. Mhamal, Staff Officer to DGP	01-05-2013 to 31-10-2013.
5.	Smt. Terezinha T. D'Souza, CID, SB, Panaji	01-05-2013 to 31-10-2013.
6.	Shri Sammy Tavares, CID, CB, Dona Paula	01-05-2013 to 31-10-2013.
7.	Shri Serafin Dias, S.D.P. O., Mapusa	01-05-2013 to 31-10-2013.
8.	Shri Lawrence D'Souza, S.D.P. O., Vasco	01-05-2013 to 31-10-2013.

2. This issues with the concurrence of Goa Public Service Commission conveyed vide letter No. COM/II/11/37(1)/2013/774 dated 25-07-2013 and approval of the Police Establishment Board.

*Kishan Kumar*, IPS, Director, General of Police.  
Panaji, 30th July, 2013.

### Department of Information and Publicity

#### Order

No. DI/INF/MIB(DAS)/2013/2162

Sub.: Switch over of analog cable TV network to DAS.

Whereas Government of India has decided to undertake a complete switch over of the analog cable TV network in India to a Digital Addressable System (DAS) in phased manner by December 31, 2014. A notification in this regard was issued by the Ministry of Information & Broadcasting in November, 2011.

Now therefore, in order to implement the digital switch over effectively and smoothly it is essential that one Nodal Officer in the State capital for

overall co-ordination and one in each District is nominated to liaise various activities essential for digitization. In pursuance to the letter No. 9.22.2013-BP&L dated July 16, 2013 by Shri Bimal Julka, Secretary, Ministry of Information & Broadcasting, Government of India following members are hereby nominated:

- i) Secretary (Revenue) — Nodal Officer (Overall co-ordination).
- ii) Deputy Collector (Revenue), North — Nodal Officer.
- iii) Deputy Collector (Revenue), South — Nodal Officer.

Swapnil M. Naik, Director & Addl. Secretary (Information & Publicity).

Panaji, 5th August, 2013.

### Department of Inland Waterways

Captain of Ports

#### Order

No. A-Admn/12041/M.E.S.S./11/COP/Part (1)/2516

On recommendation of Departmental Promotion Committee as conveyed by the Goa Public Service Commission, vide letter No. COM/II/12/13(2)2013/159 dated 03-07-2013, the Government is pleased to declare satisfactorily completion of probation period as well as confirmation of the following Officer in the Captain of Ports Department in the post shown against his name with immediate effect:

Sr. No.	Name of the Officer	Date of probation period completed	Post to which probation period completed and confirmed
1	2	3	4
1.	Shri Octavio Antony Rodrigues	28-01-2011 to 27-01-2013	Marine Engineer and Ship Surveyor.

By order and in the name of the Governor of Goa.

Capt. *James Braganza*, Captain of Ports and ex officio Joint Secretary.

Panaji, 26th July, 2013.

## Department of Labour

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Notification

No. 28/1/2013-Lab/239

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 28-03-2013 in reference No. LC-II/IT/12/12 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*D. S. Morajkar*, Under Secretary (Labour).

Porvorim, 6th May, 2013.

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THE LABOUR COURT-II  
GOVERNMENT OF GOA AT PANAJI

(Before **Shri Suresh N. Narulkar**, Hon'ble  
Presiding Officer)

Case No. Ref. LC-II/IT/12/12

Shri Albert Lourenco,  
R/o House No. 627,  
St. Anthony Vaddo,  
Guirim, Bardez-Goa. ... Workman/Party I  
V/s

M/s. Andew Telecommunications  
(India) Private Limited,  
Plot No. N/2, Phase IV,  
Verna Industrial Estate,  
Verna-Salcete-Goa. ... Employer/Party II

Workman/Party I remained absent.

Employer/Party II represented by Adv. Shri P. Chawdikar.

Panaji, dated: 28-03-2013

## AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Goa by Order dated 26-11-2012 bearing No. 28/41/2012-Lab/636, referred the following dispute for adjudication to the Industrial Tribunal of Goa. The Hon'ble Presiding Officer, Industrial Tribunal-cum-Labour Court thereafter assigned the present reference to this Labour Court-II for its adjudication vide its order dated 29-11-2012.

"1. Whether the action of the Management of M/s. Andew Telecommunications (India) Private Limited, Verna, Goa in dismissing from service Shri Albert Lourenco, Operator, with effect from 30-09-2011, is legal and justified?

2. If not, what relief the Workman is entitled to?"

2. On receipt of the reference, a case was registered under No. LC-II/IT/12/2012 and registered A/D notice was issued to the parties. In pursuance to the said notice the Employer/Party II (for short, "Employer") put in their appearance through Adv. P. Chawdikar. The Workman/Party I (for short 'Workman'), was duly served by registered post A.D. The Workman has however neither appeared in this Labour Court-II on the scheduled dates of hearing nor filed any claim statement though given ample opportunities. Ld. Adv. Shri P. Chawdikar representing the Employer orally submitted that as the Workman did not file his claim statement, the Employer also does not wish to file its written statement.

3. Heard Ld. Adv. P. Chawdikar appearing for the Employer.

4. The proceedings before the Industrial Tribunal or Labour Court are judicial in nature even though the Indian Evidence Act, does not apply to the proceedings, but principle underlying the said Act is applicable to the proceedings before the Industrial Court. It is well settle that if a party challenged the legality of an Order, burden lies upon him to prove illegality of an Order and if no evidence is produced, the party invoking jurisdiction of the Court must fail. In this case, the Government of Goa has referred the dispute to the Industrial Tribunal of Goa at the instance of the aggrieved Workman. Burden lies on the Workman to set out grounds challenging the validity of Termination Order and to prove that the Termination Order is illegal. The Workman, neither filed claim statement nor produced evidence. In the circumstances, there is no material before this Court for recording a finding that the order termination passed by the Employer is illegal or unjustified. In the absence of evidence, the Court has no jurisdiction to hold the order of termination illegal.

In view of the above, I proceed to pass the following order:

## ORDER

1. It is held that the action of the Management of M/s. Andew Telecommunications (India) Private Limited, Verna, Goa, in dismissing from service

Shri Albert Lourenco, Operator, with effect from 30-09-2011, is legal and justified.

2. It is further held that the Workman, Shri Albert Lourenco, Operator, is not entitled to any relief.

3. No order as to costs.

4. Inform the Government accordingly.

Sd/-  
(Suresh N. Narulkar),  
Presiding Officer,  
Labour Court-II.

#### Notification

No. 28/1/2013-Lab/241

The following award passed by the Industrial Tribunal and Labour Court, at Panaji-Goa on 25-03-2013 in reference No. IT/13/96 is hereby published as required by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

D. S. Morajkar, Under Secretary (Labour).

Porvorim, 6th May, 2013.

IN THE INDUSTRIAL TRIBUNAL AND  
LABOUR COURT  
GOVERNMENT OF GOA AT PANAJI

(Before Smt. Bimba K. Thaly, Presiding  
Officer)

Ref. No. IT/13/96

Workmen rep. by A.C.G.L.

Workers Union,

Honda-Satari, Goa.

... Workmen/Party I

V/s

M/s. Automobile Corporation

of Goa Ltd.,

Honda-Satari, Goa.

... Employer/Party II

Workmen/Party I represented by Shri Subhash Naik.

Employer/Party II represented by Adv. Shri M. S. Bandodkar.

#### AWARD

(Passed on this 25th day of March, 2013)

In exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) (for short the Act),

the Government of Goa by order dated 19-2-96 bearing No. 28/3/96-LAB referred the following dispute for adjudication.

"Whether the demand of the A.C.G.L. Workers Union, Honda-Satari, Goa, for V.D.A. at the rate of ₹ 2/- per point shift (1960=100) with effect from 1-1-1989 in view of clause No. 3 of the Memorandum of Settlement dated 1-9-90 signed between M/s. Automobile Corporation of Goa Ltd., Honda-Satari, Goa and the A.C.G.L. Workers Union, Satari, Goa is legal and justified"?

2. Upon receipt of the reference, IT/13/96 was registered. Notices were issued to both the parties under registered post, upon which both the parties were served. Party I filed the claim statement at Exb. 5. Party II filed written statement at Exb. 6. Rejoinder was filed by Party I at Exb. 7.

3. It is in short the case of Party I that the Workmen of the Party II Company of Metal Sheet Division are represented by A.C.G.L. Workers Union (for short the Union). That from time to time the Union has signed settlements under Section 2(p) and Section 12(3) of the Act with the Company on wages and service conditions and one of such settlement was signed for three years period i.e. from 1-6-87 to 31-5-90. By this settlement, VDA was fixed at ₹ 1.55 per point rise (Base 1960=100). On expiry of this settlement the Union submitted a fresh charter of demands on the Company vide letter dated 30-5-90 raising a demand for VDA for ₹ 2/- per point rise (Base 1960=100). Several discussions were held on this subject between both the parties and Company agreed to pay VDA at the same rate as paid to Public Sector Enterprises (PSE) announced by Central Government from time to time. At the time of entering into this settlement, it was not known as to what rate the VDA was paid/revised for PSE. The Company agreed to introduce a suitable clause in the settlement to the effect that as and when VDA is revised for PSE by Central Government, the same VDA would be extended to the workers of the Company. The Company also asked the Union to obtain necessary circulars issued by Central Government as regards VDA revision and obtain the said benefit. It is stated that while drafting the wordings of wage settlement the Company wrote the words in a vague and round about way while recording the understandings arrived at as regards VDA, namely, to extend VDA of PSE to the Company workers. The wage settlement between the representatives of the



Union and the Company was finally signed on 1-9-90 and the same was for a period from 1-6-90 to 31-5-93. The VDA was not revised as the Company agreed that as and when the Central Government revises VDA for PSEs, the same would be made applicable to the Company workers. The relevant clause in the said settlement is at clause "Demand No. 3 Revision in VDA". It is stated that after signing the settlement, the Union learnt that Central Government revised the rate of VDA payable to PSE at ₹ 2/- per point rise (Base 1960=100) and accordingly the Union wrote to the Company to make applicable the said VDA of ₹ 2/- per point rise to be made applicable to the Company workers from such date as is made applicable to PSE by Central Government but the Company declined by saying that the settlement does not clearly say so. It is stated that initially the Company insisted that the Union obtain a Government circular to support the claim however took the above stand once the Company produced the Government circular. The Union then raised an industrial dispute but as there was no understanding on the issue, the same came to be referred to this Tribunal. Hence the reference claiming to pay VDA at ₹ 2/- per point rise with effect from 1-1-89.

4. In defence, Party II has denied the claim of Party I and has stated that the settlement being implemented in full, the Union has no authority to ask for the change as the said settlement is binding upon the Union and its members. It is stated that the Company has fully implemented the demand No. 3 in connection with revision of VDA, nothing is due and payable to the Workmen. It is also stated that in view of Memorandum of Understanding signed on 17-12-96 and subsequent settlement signed on 1-4-97 in connection with VDA, the demand under the reference does not survive. It is stated that by virtue of this reference the Union is trying to raise a new industrial dispute, which is not maintainable, apart from that such a dispute is also not maintainable in view of new settlement signed on 1-4-97. Party II has also sought leave to make further submissions about the correct interpretation of the relevant clause of the settlement in connection with VDA at the time of hearing. Thus, amongst above and other grounds Party II has prayed to reject the reference.

5. In their rejoinder Party I/Workmen has denied the contentions raised by Party II in the written statement.

6. On the basis of the above averments of the respective parties issues dated 22-8-97 at Exb. 8 were framed.

7. In support of their case Party I examined Shri Keshav Vishnu Gaude as witness No. 1 and closed their case. Party II examined Shri Anant Prabhu and closed their case.

8. Heard Lnd. Representative, Shri Subhash Naik for Party I and Lnd. Adv., Shri M. S. Bandodkar for Party II.

9. In his arguments Lnd. Representative of Party I stated that the Union had signed the settlement on 1-9-90 (Exb. W.1) and before signing the settlement the Union had submitted a charter of demands, one of the demands in which was that the workers should be paid VDA at ₹ 2/- per point rise. He further stated that subsequently the meetings were held and during the discussions the management agreed that status quo i.e. prevailing rate of VDA of ₹ 1.55 per point rise would be maintained till the Central Government effects change in VDA and revision in conversion factor. He stated that subsequently vide office memorandum dated 19-3-93 (Exb. W-3) the Central Government effected rise in the dearness allowance to ₹ 2/- per point shift w.e.f. 1-1-89, however the management refused to give such rise. Thus, according to him Party I is entitled for such rise w.e.f. 1-1-89.

10. On the other hand Learned Advocate for Party II submitted that Party II is a private sector undertaking whereas Exb. W-3 is applicable to the employees of Public Sector Enterprises. He stated that Exb. W-1 does not refer to any private sector undertaking or enterprise. He also stated that in terms of Exb. W-3, DA would be increased from ₹ 1.65 per point shift in AICPI (series 1960=100) to ₹ 2/- per point shift and not from ₹ 1.55 per point shift to ₹ 2/-. He further stated that in terms of demand No. 3 in Exb. W-1 there was required statutory change both in conversion factor and VDA together which is not so as per Exb. W-3. According to him, this Court cannot reframe or rewrite the reference. Thus, it is his contention that Party I is not entitled to the claim made.

11. I have gone through the records of the case and have duly considered the submissions advanced. I am reproducing the issues alongwith their findings and reasons thereof.

Sr. No.	Issues	Findings
1.	Whether the Party I/Union proves that its demand for VDA at the rate of ₹ 2/- per point shift (1960=100) w.e.f. 1-1-1989 in view of settlement dated 1-9-90 is legal and justified?	In the positive.
2.	Whether the Party II/Employer proves that the reference is not maintainable and is bad in law for the reasons stated in para 1 of the written statement?	In the negative.
3.	Whether the Workmen are entitled to any relief?	As per the Award.
4.	What Award?	As per order below.

## REASONS

12. *Issue No. 1:* Shri Keshav V. Gaude has produced the settlement dt. 1-9-90 signed by Union with Party II at Exb. W-1 and has stated that before signing the settlement, their Union had submitted a charter of demands to Party II and one of the demands was that the workers should be paid VDA @ ₹ 2/- per point rise. He has stated that thereafter the discussions went on and minutes of meeting were prepared which he has produced at Exb. W-2. He has stated that during the discussions management told them that issue about payment of VDA @ ₹ 2/- per point rise in Public Sector Industries was pending and once it was finalized, the management would pay the VDA accordingly. He has stated that in the settlement at Exb. W-1 it was agreed that status quo will prevail in case of VDA, unless a change was statutorily required. He has stated that in public sector undertaking VDA @ ₹ 2/- per point rise was paid from 1-1-89 and a notification dated 19-3-93 was issued by Government of India, Ministry of Industry to that effect and accordingly a copy of the same was given to Party II but management did not pay the said VDA. He has produced the copy of the said notification at Exb. W-3. He has stated that thereafter a dispute was raised by the Union before ALC, Mapusa which ended in failure and hence this reference.

13. In his cross-examination he has admitted that Party II has implemented the settlement dated 1-9-90 at Exb. W-1. He has also admitted that in Exb. W-1 there is no word "Public Sector

undertaking or Enterprise" and also that there is no such word in the minutes of meeting dated 16-8-90 at Exb. W-2. He has stated that Goa Shipyard Limited is a Public Sector undertaking but Party II is not like Goa Shipyard Limited. He has stated that the notification dated 19-3-93 at Exb. W-3 is applicable to Public Sector undertaking or Enterprises. He has also admitted that in the discussions held with the management there was no comparison between the wage structure and VDA regarding the public sector undertaking and private company. He has stated that he does not know if the Central Government had changed the conversion factor and VDA in respect of private sector undertakings and has admitted that Party II is a private sector undertaking.

14. Shri Anant Prabhu has stated that the company never intended to revise the VDA and never agreed to increase the VDA as and when the Central Government revises for public sector undertakings to be made applicable to the company's workers. He has stated that as per demand No. 3 status quo was to prevail in case of VDA unless a change was statutorily required i.e. if and when change in conversion factor and VDA was implemented by the Central Government. He has stated that what the company meant by agreeing to the same was that the Central Government must change the conversion factor and VDA together and if the same is implemented by the Central Government in Private Sector undertaking only and not in Public Sector undertaking or Public Sector Enterprises. According to him, office memorandum at Exb. W-3 is exclusively applicable to the public sector enterprises only and not to Private Sector undertaking.

15. In his cross-examination he has admitted that he was not a party to the discussion held in respect of Exb. W-1 so also that he has no personal knowledge about the discussions between the Union and the management. He has however denied the suggestion that in terms of clause 3 of settlement at Exb. W-1, Party I are entitled to VDA @ ₹ 2/- per point rise w.e.f. 1-1-89. He has denied the suggestion that the office memorandum at Exb. W-3 is applicable to Party II in terms of settlement at Exb. W-1.

16. From the reading of the above evidence it becomes clear that there is otherwise no dispute

about the union and the management of Party II entering into the settlement dated 1-9-90 at Exb. W-1 with the Clause in Demand No. 3, in it, reading as under:

*“status quo will prevail in case of Variable Dearness Allowance unless a change is statutorily required i.e. if and when change in conversion factor and VDA is implemented by the Central Government, the same shall be made applicable”.*

17. Apparently the above clause does not say that the said statutory change i.e. the change in conversion factor and VDA has to be made by the Central Government *together* (i.e. both at the same time) as sought to be contended by Learned Advocate for Party II. The above clause also does not say that *the change which is statutorily required has to be implemented by the Central Government in private sector undertakings only and not in public sector undertakings*, which according to the Lnd. Advocate for Party II was required for its application to the situation in hand. No doubt, by office memorandum dated 19-3-93 at Exb. W-3 the existing industrial Dearness Allowance rate was increased to ₹ 2/- per point shift viz-a-viz the employees of Public Sector Enterprises but this does not mean that Parties to the settlement at Exb. W-1 had excluded such an eventuality from the purview of Exb. W-1. To canvas the point that this Court cannot reframe or amend the reference, Learned Advocate for Party II relied on the judgment in the case of **Suresh Chandra v/s General Manager, Rajasthan State Bridge and Construction Corporation 2002 (94) FLR 843** in which while holding that Court cannot amend the reference, it is observed as under:

*“jurisdiction cannot be conferred by mere acceptance, acquiescence, consent or by any other means as it can be conferred only by the legislature. Conferring a Court or Authority with jurisdiction is a legislative function. In Union of India v/s Devki Nandan Aggarwal, the Hon’ble Apex Court observed that ‘the Court cannot usurp legislative functions. The Court cannot rewrite, recast or reframe the legislation for the very good reason that it has no power to legislate. The power to legislate has not been conferred on the courts”.*

18. There is no dispute about the above proposition of law but, to my mind, accepting the interpretation of clause in Demand No. 3 as sought to be made by Party II viz-a-viz the terms of reference, would in fact amount to rewriting or

recasting the terms of reference when the words such as “change in conversion factor and VDA together” and “implemented by Central Government in Private Sector undertaking only and not in Public Sector undertaking or Enterprise” are not found mentioned in the clause in Demand No. 3 in Exb. W-1. Thus, it follows from a plain reading of the said clause in demand No. 3 that parties to Exb. W-1 while entering into the said settlement had agreed to increase the VDA as and when such a change is implemented by the Central Government. Since there is nothing in this clause to indicate that such change in conversion factor and VDA had to be made by the Central Government together, I have every reason to hold that both these words are independent from each other. It may be that, the prevailing VDA as on the date of entering into Exb. W-1 was 1.55 per point rise (base 1960=100) whereas in Exb. W-3 the said increase was made from ₹ 1.65 per point to ₹ 2/- per point shift (base 1960=100) but this aspect would be of least significance because the rise implemented by the Central Government in any case is above ₹ 1.55/- per point rise.

19. That apart, reading of the judgment in the case of **Suresh Chandra (supra)** makes it clear that the observations made in it were in a totally different context as in this case though it was the case of the Workmen that his services stood terminated w.e.f. 1-3-1987, the Appropriate Government had made the reference as “whether the termination of services of Workman Suresh Chandra w.e.f. 1-3-1989 was justified and if not, to what relief he was entitled for?”. Labour Court decided the reference considering the date of termination of the Workmen as w.e.f. 1-3-1987 and it was in such situation the Hon’ble High Court of Rajasthan held that the Labour Court lacked competence to correct/modify/alter the terms of reference or correct the name or the date of termination etc., and hence the Award was nullity, being without jurisdiction, based on the bad reference. viz-a-viz above, the situation before this Tribunal is totally different wherein while answering the reference no change is required in the terms of the reference but the matter rests on the interpretation of the Clause in Demand No. 3 in Exb. W-1. Thus, strictly speaking the ratio in the judgment in the case of **Suresh Chandra (supra)**, cannot be made applicable to the set of facts in the instant case.

20. It may be mentioned here that it is stated by Shri Keshav Gaude that after submitting the charter of demands pursuant to which the

settlement at Exb. W-1 was arrived at, meetings were held in which minutes were prepared and he has produced the said minutes book at Exb. W-2. However, as rightly pointed out by Learned Representative of Party II since pursuant to those meetings, the settlement at Exb. W-1 was entered into, no much weightage could be given to the minutes of the meeting written in Exb. W-2, on the subject of VDA.

21. In the judgment in the case of **S. M. Nilajkar and others v/s Telcom District Manager, Karnataka (2003) 4 SCC 27** the Hon'ble Apex Court has observed as under:

*"it is well settled by a catena of decisions that labour laws being beneficial pieces of legislation are to be interpreted in favour of the beneficiaries in case of doubt or where it is possible to take two views of a provision".*

22. The above observations give a clear indication that even in the case in hand, the interpretation of Clause in Demand No. 3 in Exb. W-1, if at all required, has to be made in favour of the Workmen who are the beneficiaries and therefore I am of the opinion that the Demand by Party I, for VDA @ ₹ 2/- per point shift (1960=100) w.e.f. 1-1-89 in view of settlement dated 1-9-90, is legal and justified. Hence my findings.

23. *Issue No. 2:* In para 1 of the written statement Party II has raised, objections on the maintainability of the reference by stating that the Union having signed the settlement u/s 2(p) read with Section 18(1) of the Act and the said settlement having been implemented in full, the Union has no authority to ask for the change as the said settlement is binding upon the Union and its members. The second objection raised in the written statement is that the Company having fully implemented the demand No. 3 in connection with the revision of the VDA nothing is due and payable to the Workmen and the third objection raised is that in view of the Memorandum of Understanding signed on 17-12-1996 and subsequently settlement signed on 1-4-1997 in connection with VDA, the demand under the reference does not survive.

24. As regards first objection raised in the written statement though Shri Keshav Vishnu Gaude has stated that Party II has implemented the settlement at Exb. W-1, reading of his evidence in entirety gives a clear indication that clause in demand No. 3 is not implemented by Party II in terms of office memorandum at Exb. W-3 and therefore it would not stand to reason to say that

the settlement at Exb. W-1 is implemented in full. As regards the second objection the present dispute which is being adjudicated is itself for implementation of clause in demand No. 3 in Exb. W-1 and therefore Party II cannot be heard to say that Company has fully implemented the demand No. 3 in connection with revision of VDA. As regards the third objection, Shri Keshav Vishnu Gaude has produced a copy of the settlement dated 1-4-97 at Exb. W-5. He has stated that in terms of this settlement VDA was raised from 1.75 to 1.95 per point rise, which was in terms of clause 4 of Exb. W-5, which was for the period of 1-12-96 to 30-11-99. Reading of said clause 4 in Exb. W-5 makes it clear that VDA was revised from 1.75 per point rise to 1.95 per point rise. It may be mentioned here that there is nothing in this clause that pursuant to such per point rise in VDA the Union withdraws its demand for rise in VDA to ₹ 2/- per point effective from 1-1-1989. That apart, even in the cross-examination of Shri Keshav Vishnu Gaude it is not suggested that pursuant to the parties entering into the settlement at Exb. W-5, the demand under reference does not survive. For that matter, nothing has also been stated by Shri Anant Prabhu regarding non survival of dispute under reference though he has referred to signing of the settlement dated 1-4-97 by the Company increasing VDA from ₹ 1.75 to ₹ 1.95 per point rise. This being the situation, it would not be proper and justified to hold that reference is not maintainable due to aforesaid reasons. Hence, my findings.

25. *Issue No. 3:* In view of discussion supra, it is clear that the Workmen are entitled to be paid VDA at ₹ 2/- per point rise (1960=100) with effect from 1-1-1989 in terms of office memorandum dated 19-3-93 at Exb. W-3.

26. In the result, I pass the following:

#### ORDER

It is hereby held that the demand of the A.C.G.L. Workers Union, Honda-Satari, Goa, for V.D.A. at the rate of ₹ 2/- per point shift (1960=100) with effect from 1-1-1989 in view of clause No. 3 of the Memorandum of Settlement dated 1-9-90 signed between M/s. Automobile Corporation of Goa Ltd, Honda-Satari, Goa and the A.C.G.L. Workers Union, Satari Goa, is legal and justified.

Inform the Government accordingly.

Sd/-  
(B. K. Thaly),  
Presiding Officer,  
Industrial Tribunal-  
-cum-Labour Court.



## Department of Law &amp; Judiciary

Law (Establishment Division)

—  
Order

File No. 8-2-2013-LD(Estt)/1347

Read: Government Order No. 8-2-2013-LD(Estt)/1094 dated 27-06-2013.

Government of Goa is pleased to constitute a Committee of the following officers for the State of Goa to process the pending applications/future applications of Foreign Nationals/Indian Nationals as regards the purchase of property/sale of property by Foreigners/PIO/OCI etc. in terms of FEMA 1999:

- |  |                           |
|--|---------------------------|
| 1. Joint Secretary<br>(Debt Management Unit)         | — Chairperson.            |
| 2. Under Secretary<br>(Debt Management Unit)         | — Member.                 |
| 3. Under Secretary (Revenue)                         | — Member.                 |
| 4. Dy. Collector, North<br>(Revenue Branch)          | — Member.                 |
| 5. Dy. Collector, South<br>(Revenue Branch)          | — Member.                 |
| 6. Officials of R. B. I.                             | — Member.                 |
| 7. Ms. Sushma Khandeparkar<br>(Chartered Accountant) | — Non-Official<br>Member. |
| 8. State Registrar-cum-Head<br>of Notary Services    | — Member<br>Secretary.    |

Non-Official Member shall be paid sitting fee of ₹ 800/- per sitting interms of O.M. No. 9/10-/2010-Fin(DMU) dated 29-11-2011.

The expenditure towards sitting fee shall be debited to the budget head operated by State Registrar-cum-Head of Notary Services.

This is issued in supersession of Order No. 8-2-2013-LD(Estt)/1094 dated 27-06-2013 referred to above.

By order and in the name of the Governor of Goa.

*Vasanti H. Parvatkar*, Under Secretary (Estt.).

Porvorim, 1st August, 2012.

## Department of Personnel

—  
Order

File No. 6/13/2009-PER

- Read: 1) Order No. 15/1/2012-VIG/206 dated 31-01-2012.  
2) Order No. 15/1/2012-VIG/1501 dated 26-07-2012.

In pursuance to the order dated 26-07-2012 of revocation of suspension issued by the Directorate of Vigilance, Shri Siddhivinayak S. Naik, awaiting posting since 27-07-2012 is hereby transferred and posted as Secretary, Goa Konkani Academy with immediate effect, in public interest, thereby relieving Shri Gurudas P. Pilarnekar, Joint Secretary (GA), of the additional charge.

The posting of Shri Naik, shall be on deputation and shall be governed by standard terms of deputation as contained in Office Memorandum No. 13/4/74-PER dated 12-02-1999, and as amended.

By order and in the name of the Governor of Goa.

*Yetindra M. Maralkar*, Additional Secretary (Personnel).

Porvorim, 8th August, 2012.

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Order

File No. 5/24/2004-PER

Shri Hanumant T. Toraskar, Chief Officer, Mapusa Municipal Council shall hold charge of the post of Chief Officer, Pernem Municipal Council, in addition to his own duties, with immediate effect, during the sick leave period of Smt. Meena H. Naik Goltekar.

Shri Mahesh Corjuenkar, Deputy Collector (Rev), North Panaji shall hold charge of the post of Deputy Collector & SDM, Pernem in addition to his own duties with immediate effect, during the sick leave period of Smt. Meena H. Naik Goltekar.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 17th August, 2012.

**Order**

File No. 6/13/2009-PER

Shri Nikhil Dessai, Managing Director, Goa Tourism Development Corporation Ltd., shall hold charge of the post of Director of Tourism, in addition to his own duties, with immediate effect and until further orders, thereby relieving Shri Mathew Samuel, IAS, Secretary (Tourism), the charge.

Shri N. D. Agrawal, Collector (South) shall hold charge of the post of State Liaison Officer for Dabolim Airport, in addition to his own duties, with immediate effect and until further orders, thereby relieving Shri R. Mihir Vardhan, Collector & District Magistrate, North-Goa, of the additional charge.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 16th August, 2012.

**Order**

File No. 7/2/99-PER (PF-IV)

Shri T. M. Balakrishnan, IAS, Secretary, Labour and Employment is hereby deputed to Goa Sadan and Goa Niwas, New Delhi to look into all aspects of working of these offices to study and streamline the matters pertaining to the same and submit the report to the Government within 4 weeks time.

He is permitted to leave the headquarters and proceed to Delhi on 28-08-2012.

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).

Porvorim, 30th August, 2012.

**Order**

File No. 7/16/2012-PER

Read: Order No. 7/2/99-PER (PF-IV) dated 16-08-2012.

Order No. 7/2/99-PER (PF-IV) dated 21-08-2012.

Order No. 7/10/2008-PER (PF) dated 14-06-2012.

In pursuance the Government of India, Ministry of Home Affairs, New Delhi Order No. 14020/1/2012-UTS-I dated 09-04-2012, the Governor of Goa is pleased to appoint Shri Z. U.

Siddiqui, IAS as the Director (Printing & Stationery) with effect from 16-08-2012, vide Order read in the preamble at Sr. Nos. 1 and 2.

Shri Z. U. Siddiqui, IAS has reported for duty to this Administration on 21-05-2012 (f.n.) after availing admissible joining time of 12 days from 01-05-2012 to 12-05-2012 and 06 days earned leave from 13-05-2012 to 18-05-2012 and was awaiting for posting.

The salary of Shri Z. U. Siddiqui, IAS from 01-05-2012 onwards shall be adjusted against the vacant post Director (Printing & Stationery), until further orders.

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).  
Porvorim, 07th September, 2012.

**Order**

File No. 13/4/2012-PER

Governor of Goa is pleased to grant extension in service to Smt. Valsala Vijayan, Junior Scale Officer of the Goa Civil Service posted as Dy. Resident Commissioner at Goa Sadan, New Delhi, beyond the date of her superannuation for a period of one year with effect from 01-10-2012 to 30-09-2013.

The extension is subject to termination without assigning any reasons at any time during the period of extension.

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).  
Porvorim, 26th September, 2012.

**Order**

File No. 13/5/2012-PER

Governor of Goa is pleased to grant extension in service to Shri Nandkishor V. Verlekar, Director of Fisheries, beyond the date of his superannuation for a period of six months with effect from 01-10-2012 to 31-03-2013.

The extension is subject to termination without assigning any reasons at any time during the period of extension.

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).  
Porvorim, 28th September, 2012.

**Order**

File No. 6/12/2011-PER

Shri Arun L. Dessai, Selection Grade Officer of Goa Civil Service holding the post of Director of Transport is nominated for the 112th Induction Training Programme of IAS Officers from 08th October, 2012 to 30th November, 2012 at Lal Bahadur Shastri National Academy of Administration, Mussorie.

The Demand Draft of ₹ 2,00,000/- (Rupees two lakhs only) is being drawn in favour of Lal Bahadur Shastri National Academy of Administration, Mussorie.

Shri Narayan Sawant, Director of Panchayats, shall hold charge of the post of Director of Transport, in addition to his own duties, during the 112th Induction Training Programme of IAS Officers being attended to by Shri Arun L. Dessai, Director of Transport from 8th October to 30th November, 2012.

By order and in the name of the Governor of Goa.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 3rd October, 2012.

**Addendum**

File No. 6/2/2002-PER (Part)

Read: Order No. 6/2/2002-PER (Part) dated 24-07-2013.

Smt. Laura Britto e Madre Deus, Smt. Meghana Shetgaonkar and Shri Narayan Prabhudesai, Junior Scale Officers of Goa Civil Service transferred vide Order dated 24-07-2013 read in preamble above, shall hold charge of the posts of Dy. Collector (Rent Control) South Addl. Deputy Collector, (Rent Control), Mapusa and Dy. Collector (Rent Control), North respectively, in addition to their own duties until completion of handing over of files and other documents pertaining to the Rent Control matters to the Civil Courts.

This issues with approval of the Chief Secretary.

*Umeshchandra L. Joshi*, Under Secretary (Personnel-I).

Porvorim, 30th July, 2013.

**Corrigendum**

File No. 7/16/2012-PER

Read: Order No. 7/16/2012-PER dated 07-09-2012.

Para 3 of the order No. 7/16/2012-PER dated 07-09-2012 referred above, shall be substituted to read as follows:

"The salary of Shri Z. U. Siddiqui, IAS, Director (Printing & Stationery) from 01-05-2012 onwards shall be adjusted against the vacant post from the State Deputation Reserve, until further orders."

By order and in the name of the Governor of Goa.

*N. P. Singnapurker*, Under Secretary (Personnel-II).  
Porvorim, 24th September, 2012.

**Department of Power**

Office of the Chief Electoral Engineer

**Order**

No. CEE/Estt-31-25-88/GPSC/1788

Read: 1) Order No. CEE/Estt-31-25-88/GPSC/997 dated 06-06-2012.

2) Order No. CEE/Estt-31-25-88/GPSC/1375 dated 02-07-2012.

Government is pleased to extend the ad hoc promotion of the following Executive Engineers (Elec.) to the post of Superintending Engineer (Elec.) in the Electricity Department ordered vide orders read in the preamble for a further period as indicated in column 3 below on the same terms and conditions as stipulated in the aforesaid orders:

Sl. No.	Name of the Executive Engineer	Ad hoc promotion extended upto
1.	Shri S. Lekshmanan	05-12-2013.
2.	Shri L. D. Kolvekar	01-01-2014.
3.	Shri N. Neelakanta Reddy	01-01-2014.

This issues with the aporoval of Goa Public Service Commission as communicated vide their letter No. COM/II/11/16(1)/2013/768 dated 23-07-2013.

By order and in the name of the Governor of Goa.

*S. Lekshmanan*, Chief Electrical Engineer & ex officio Additional Secretary.

Panaji, 26th July, 2013.

## Department of Public Health

—  
Order

No. 22/5/2003-I/PHD

Read: Order No. 46/1/2006-I/PHD dated 21-02-2013.

Government is pleased to promote the following Junior Paediatrician under Directorate of Health Services to the post of Senior Paediatrician (Group "A" Gazetted) under Directorate of Health Services, purely on ad hoc basis in the Pay Band—3, ₹ 15,600-39,100+Grade Pay of ₹ 6,600/- and other allowances admissible as per the rules, with immediate effect and post them at the places indicated against their names:

Sr. No.	Name of the doctor	Posted at
1.	Dr. Chetna Altekar	North Goa District Hospital, Mapusa.
2.	Dr. Vibha A. Parsekar	North Goa District Hospital, Mapusa.

The ad hoc appointments are initially for a period of one year or till the post is filled on regular basis, whichever is earlier. The above ad hoc appointment shall not bestow on them any claim for regular promotion on the service rendered by them on ad hoc basis in the grade and shall not count for the purpose of seniority in the grade for eligibility for promotion to the next higher grade, if any.

The above ad hoc promotions are made against the vacancies caused due to creation of the posts vide Order No. 47/10/2011-I/PHD dated 16-08-2011.

Consequent upon their promotion, Dr. Chetna Altekar and Dr. Vibha A. Parsekar, should continue to work at Community Health Centre, Pernem on rotation basis, as per order read at preamble.

By order and in the name of the Governor of Goa.

*D. G. Sardesai*, Addl. Secretary (Health).

Porvorim, 23rd July, 2013.

—  
Order

No. 47/29/2005-I/PHD(PF)

Dr. Praveena Shailesh Hede, Junior Gynaecologist posted at North Goa District Hospital, Mapusa shall work on every Wednesday at Primary Health Centre, Candolim, in addition to

her own duties with immediate effect and until further orders, in public interest.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 24th July, 2013.

—  
Order

No. 45/1/2007-I/PHD

Government is pleased to transfer the following Junior Pathologist under Directorate of Health Services with immediate effect, in public interest:

Sr. No.	Name of the Junior Pathologist	Present place of posting	Transferred and posted at
1	2	3	4
1.	Dr. Neliskha Evelyn Marina Gomes	Pathologist, North Goa District Blood Bank, Hospital, Mapusa. Hospicio Hospital, Margao	
2.	Dr. Melanie R. Dias	North Goa District Hospital, Mapusa	Sub-District Hospital, Ponda.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 24th July, 2013.

—  
Order

No. 24/16/2000-I/PHD

Read: Government Order No. 24/16/2000-I/PHD dated 13-08-2007.

Corrigendum No. 24/16/2000-I/PHD dated 31-08-2007.

Government has recognized "Vrundavan Shalby Hospitals Limited, Mapusa-Goa" for the purpose of Medclaim under Medclaim Scheme and for Medical Reimbursement of Government employees, Freedom Fighters, MALs under the Central Service (MA) Rules, 1944 for "Haemodialysis treatment to Kidney patients".

Now, the Government has decided to restrict the amount to ₹ 1,300/- per dialysis or ₹ 13,000/-



per month for a minimum of 10 dialysis. The above hospital shall not charge any extra amount in any manner to the patient.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 24th July, 2013.

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**Order**

No. 4/14/2003-II/PHD/Vol.II

On the recommendation of the Goa Public Service Commission conveyed vide their letter No. COM/II/12/30(8)/2007/166 dated 09-07-2013, Government is pleased to declare Dr. Pandarinath Manohar Audi, Lecturer, Department of Surgery, Goa Medical College to have satisfactorily completed his probation period of two years w.e.f. 18-03-2011 to 17-03-2013 and to confirm him in the post of Lecturer in the Department of Surgery in Goa Medical College, Bambolim, with immediate effect.

By order and in the name of the Governor of Goa.

*Sangeeta M. Porob*, Under Secretary (Health).

Porvorim, 25th July, 2013.

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**Order**

No. 4/3/2007-II/PHD

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/30(1)/08/169 dated 09-07-2013, Government is pleased to promote Smt. Mandakini Bansode, Medico Social Worker to the post of Health Educator (Group 'B' Gazetted) in the Department of Preventive and Social Medicine in Goa Medical College, Bambolim on regular basis in the Pay Band—2, ₹ 9,300-34,800 with Grade Pay of ₹ 4,200/- and other allowances to be fixed as per the rules, with immediate effect.

Smt. Mandakini Bansode shall be on probation for a period of 02 years.

The promotion is made against the vacancy occurred due to retirement of Kum. Emilita Alfonso, Health Educator w.e.f. 01-12-2011.

By order and in the name of the Governor of Goa.

*Sangeeta M. Porob*, Under Secretary (Health).

Porvorim, 25th July, 2013.

**Order**

No. 38/141/2007-I/PHD

Read: Order No. 38/141/2007-I/PHD dated 07-07-2008.

Government has recognized "Grace Intensive Cardiac Centre and General Hospital, Margao-Goa" for the purpose of Mediclaim under Mediclaim Scheme and for Medical Reimbursement of Government Employees, Freedom Fighters, MALs under the Central Service (MA) Rules, 1944 for "Haemodialysis treatment to Kidney patients".

Now, the Government has decided to restrict the amount to ₹ 1,300/- per dialysis or ₹ 13,000/- per month for a minimum of 10 dialysis. The above hospital shall not charge any extra amount in any manner to the dialysis patient.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 26th July, 2013.

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**Order**

No. 25/2/2003-I/PHD

Read: Government Order No. 24/2/2003-I/PHD dated 21-01-2013.

Government has recognized "Vintage Hospital and Research Centre Pvt. Ltd., St. Inez, Panaji" for the purpose of Mediclaim under Mediclaim Scheme and for Medical Reimbursement of Government Employees, Freedom Fighters, MALs under the Central Service (MA) Rules, 1944 for "Haemodialysis treatment to Kidney patients".

Now, the Government has decided to restrict the amount to ₹ 1,300/- per dialysis or ₹ 13,000/- per month for a minimum of 10 dialysis. The above hospital shall not charge any extra amount in any manner to the dialysis patient.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 26th July, 2013.

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**Order**

No. 2/18/2006-II/PHD

Government has accepted the resignation tendered by Dr. Xavier George Kocherry, Associate Professor, Department of Neuro-surgery, Goa

Medical College, Bambolim-Goa vide letter dated 17-06-2013, and he stands relieved from the said post w.e.f. 31-07-2013 (a.n.).

By order and in the name of the Governor of Goa.

*Sangeeta M. Porob*, Under Secretary (Health).  
Porvorim, 29th July, 2013.

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**Order**

No. 7-3-94-I/PHD

On the recommendation of the Goa Public Service Commission as conveyed vide their letter No. COM/II/11/24(1)/13/168 dated 09-07-2013, Government is pleased to promote Shri Madan N. Naik, Scientific Assistant (Group "B" Gazetted) to the post of Senior Scientific Assistant under the Directorate of Health Services, on regular basis in the Pay Band—2, ₹ 9,300-34,800 with Grade Pay of ₹ 4,600/- and other allowances to be fixed as per the rules with immediate effect.

Shri Madan Naik shall be on probation for a period of 02 years.

The promotion is made against the vacancy occurred due to promotion of Shri Narendra Shirodkar to the post of Scientific Officer w.e.f. 09-01-2013.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 31st July, 2013.

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**Order**

No. 13/25/2002-I/PHD

Read: 1) Order No. 13/25/2002-I/PHD dated 12-07-2012.

On the recommendation of Goa Public Service Commission as conveyed vide their letter No. COM/II/11/56(8)/92/786 dated 26-07-2013, the ad hoc promotion of Smt. Sushmita D'Souza, Chemist (Drugs) under the Directorate of Food & Drugs Administration, Altinho, Panaji, is extended for further period of one year with effect from 12-07-2013 to 11-07-2014 or till the post is filled on regular basis, whichever is earlier.

By order and in the name of the Governor of Goa.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 1st August, 2013.

**Certificate**

No. 45/3/2004-I/PHD

Read: Government Order No. 45/3/2004-I/PHD dated 22-07-2013.

Certified that the character and antecedents of Dr. Vidhya Vivek Sawant, Senior Gynaecologist (Group "A" Gazetted) under the Directorate of Health Services has been verified by the District Magistrate, North Goa District, Panaji-Goa and nothing adverse has come to the notice of the Government.

She has also been declared medically fit by the Medical Board, Goa Medical College, Bambolim.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 25th July, 2013.

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**Certificate**

No. 22/3/2000-I/PHD

Read: Government Order No. 22/3/2004-I/PHD dated 11-01-2013.

Certified that the character and antecedents of Dr. Damodar alias Swapnil Subhash Arsekar, Junior Physician (Group "A" Gazetted) under the Directorate of Health Services has been verified by the District Magistrate, North Goa District, Panaji-Goa and nothing adverse has come to the notice of the Government.

He has also been declared medically fit by the Medical Board, Goa Medical College, Bambolim.

*Maria Seomara Desouza*, Under Secretary (Health-II).

Porvorim, 29th July, 2013.

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**Department of Revenue**

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**Notification**

No. 23/4/2012-RD

Whereas, by Government Notification No. 23/4/2012-RD dated 12-07-2012 published on Government Official Gazette, Series II No. 16, dated 19-07-2012 and in two newspapers (1) "Herald" dated 15-07-2012 and (2) "Goa Doot" dated 15-07-2012, it was notified under Section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), that the land specified in the Schedule appended to the said Notification (hereinafter referred to as

the said land), was needed for public purpose, viz. Land Acquisition for improvement of road from Caitan House Mharwada to Navdurga Temple of Madkaim including Jogging track/footpath in Madkai V. P. in Marcaim Constituency.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of Section 5-A the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to as "the said land").

Now, therefore, the Government hereby declares under the provisions of Section 6 of the said Act that the said land is required for the public purpose specified above.

The Government also hereby appoints under clause (c) of Section 3 of the said Act, Dy. Collector/SDO, Ponda-Goa to perform the functions of the Collector, for all proceedings hereinafter to be taken in respect of the said land and directs him under Section 7 of the said Act to take order for the acquisition of the said land.

A plan of the said land can be inspected at the office of the Dy. Collector/SDO, Ponda-Goa till the award is made under Section 11.

## SCHEDULE

(Description of the said land)

Taluka: Ponda

Village: Marcaim

Survey No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
382/3	Vaikunth Vithal Sinai Nevrekar.	22
382/2	Venktesh Nuno S. Nevrekar.	284
382/1	Rawalnath Devasthan.	536
381/5	Bhagwant Jagannth Sardessai.	391
381/4	Shrikrishna @ Siddesh Nagesh Naik. Prataprao Sardessai.	130
381/3	Vinay Nuno S. Nevrekar.	123
381/2	Bhagwant Jagannth Sardesai.	328
381/1	Balaji Vasudev Kamat.	761
383/1	Anand @ Anant Govinda Kamat Dhakankar.	214
383/2	Kutebab Nevrenkar.	9
383/3	Gajo Deu Naik. Mono Naik.	6
383/4	Laxman Rama Kamat.	541

1	2	3	4
383/5	Gopinath Purushottam Kamat.	893	
383/6	Madkai Gram Education Society, Marcaim	285	
383/8	Yeshwant Bhikaji Neverenkar.	220	
384	Comunidade.	1151	
379/2	Laxman Rama Kamat. Smt. Manik Krishnanth Dharwadkar. (Shri Shridhar Anant Kamat Bambolkar). 143/99 Dr. Audhoot Gopinath Borkar. Shri Venkatesh Krishnath Dharwadkar, (area 735m2) Kamlakant Yeshwant Chari. Rajiv Pandurang Kudke. Honu Kalu Gaude.	410	
378/1	Laxman Rama Kamat. Govt. of Goa, Executive Engineer, W.D. XVIII® PWD, (area of 450 sq. mt).	1070	
375 pt	Comunidade. Govt. of Goa, Executive Engineer, W.D. XVIII® PWD.	4475	
389	Shevanti Jaiwant Kamat. Shital Jaiwant Kamat. Shri Navdurga Devasthan. Satya Sadashiv S. Kolwalkar. Sachin S. S. Kolwalkar. Shankar @ Mahesh S. S. Kolwalkar. Avinash Narcinva Nadkarni. T. Vithol Hiru Xete Vazir.	70	
385	Comunidade. Vithal Hiru Vazir.	67	
391/1	Comunidade. Goa Daman & Diu Industrial Development, Directorate of Animal Husbandry & Veterinary Services, Directorate of Sports & Youth Affairs, Panaji-Goa. (area 18810).	2052	
374/1	Comunidade. The Directorate of Health Services, Panaji Area 10000 (Part).	2710	
368/31	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Piso Vithu Naik.	1	
368/30	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Tukaram Kusta Naik.	72	

1	2	3	1	2	3
368/29	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Pisho Vithu Naik.	86	362/2	Caitano Ruzario Silveira.	195
368/28	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Poko Kusta Naik.	74	362/1	Gopal Vasudeo Kamat.	246
368/27	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Vishnu Anant Naik.	45	358/4	Vithal Narayan Kamat.	247
368/26	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Babji Govind Naik.	43	358/5	Purshottam Dalba Kamat.	180
368/25	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Thanu Paru Naik.	44	358/3	Purshottam Dalba Kamat.	141
368/24	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Ziru Sham Naik.	51	392	Comunidade. Goa, Daman & Diu Industrial Development Corporation, Panaji-Goa.	2835
368/23	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Zivu Sham Naik.	112	393	Comunidade. Goa, Daman & Diu Industrial Development Corporation, Panaji-Goa.	1428
368/22	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Ziru Shamba Naik.	84	<i>Boundaries :</i>		
368/21	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Anant Bhuij Naik.	68	North : Road, S. No. 379/2, S. No. 378, S. No. 375, S. No. 374, S. No. 368/15 to 31, S. No. 365, S. No. 364/2, S. No. 363/2, S. No. 358/5.		
368/20	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Pandhari Anant Naik.	28	South : Road, S. No. 358/5-A, 4-A, S. No. 362/1-A, 2-A, 3-A, S. No. 363/1-A, S. No. 395/2, S. No. 393, S. No. 392, S. No. 391/1-A, 1, S. No. 389, S. No. 385, S. No. 384, S. No. 383/1, 2, 3, 4, 5, 6.		
368/19	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Babuli Sitaram Naik.	43	East : S. No. 382/1, 2, 3, S. No. 381/1 to 5, Road, S. No. 363/1, S. No. 382/1, to 3, S. No. 358/5-A, 365, 383/1 & 8, 378.		
368/18	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Govind Vithu Naik.	37	West : S. No. 358/4, 5, 6, S. No. 362/1, 2, 3, S. No. 363/1, 2, Road, 365, 375.		
368/17	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Ushno Mablo Naik.	88	Total: 29214		
368/16	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Poko Kusta Naik.	141	By order and in the name of the Governor of Goa.		
368/15	Vishnu Shankar Kamat. Narasinha Shankar Kamat. T: Vishnu Shankar Naik.	19	Ashutosh Apte, Under Secretary (Revenue-I).		
365	Comunidade.	3090	Porvorim, 31st July, 2013.		
364/2	Balkrishna Ramchandra Naik.	1380	<b>Corrigendum</b>		
363/2	Balkrishna Ramchandra Naik.	835	No. 23/43/2009-RD		
363/1	Pandurang Krishna Naik.	549	Read: Government Notification No. 23/43/2009-RD		
362/3	Omno Bojo Gaude. Pandurang Mukund Gaude. Yedu Jheru Gaude. Purso Rogu Gaude. Gangu Rogu Gaude.	304	dated 23-05-2011 regarding L.A. for re-alignment of State Highway No. 13.55 km. to 17.89 km. (Bicholim bye-pass) published in the Official Gazette, No. 8 Series II dated 26-05-2011 and in two newspapers viz. "Gomantak" dated 25-05-2011 and "Times of India" dated 25-05-2011.		
			In the schedule appended to the above cited Notification No. 23/43/2009-RD dated 23-05-2011,		



the name of "Sadguru Krishna Shetye" under survey No. 37/1-A part of and "Vasudev Krishna Shetye Sawaikar" under survey No. 36 part shall be deleted.

The rest of the contents of Notification shall remain unchanged.

By order and in the name of the Governor of Goa.

*Ashutosh Apte*, Under Secretary (Revenue-I).

Porvorim, 7th August, 2013.

### Department of Vigilance

Institution of Goa Lokayukta

#### Order

No. ADMN/75/2013/IGL/234

In exercise of powers conferred upon me as per the provisions of Section 5(1) of the Right to Information Act, 2005, I, P. Mathew Samuel, IAS, Secretary, Institution of Goa Lokayukta hereby designate following Officials as Public Information Officer and Asstt. Public Information Officer to provide information to person requesting for the information under the Act.

Sr. No.	Name and Designation of the Officer	Section
1.	Shri Laxman Zalmi, Registrar	Complaints/ /Court Section.
2.	Shri Thomas Noronha, Accountant	Administrative.

Further, the Public Information Officers are also directed to compile all its records as required under Section 4 of the Right to Information Act in the Time Bound manner as provided in the Act and make it available on the website of this Institution.

*P. Mathew Samuel*, IAS, Secretary, Institution of Goa Lokayukta.

Panaji, 25th July, 2013.

#### Order

No. ADMN/75/2013/IGL/235

In exercise of powers conferred upon me as per the provisions of Section 5(1) of the Right to Information Act, 2005, I, B. Sudershan Reddy, Goa Lokayukta hereby designate Shri P. Mathew Samuel, IAS, Secretary, Institution of Goa

Lokayukta as First Appellate Authority of the Institution of Goa Lokayukta for the purpose of the Right to Information Act.

*Justice B. Sudershan Reddy*, Goa Lokayukta.

Panaji, 25th July, 2013.

### Department of Women & Child Development

Directorate of Women & Child Development

#### Order

F. No. 2-103(80-1)-2007/DW&CD/Part-I/5365

Read: Notification No. 2-103(80-1)-2017/ /DW&CD/Partfile/5066 dated 09-07-2012.

In exercise of the power conferred by Section 35 of the Juvenile Justice (Care and Protection of Children) Act, 2000 read with rule 71 of Juvenile Justice (Care and Protection of Children) Rules, 2007, the Government hereby constitutes, the following additional Blockwise Inspection Teams for the purpose of inspections and recommendations of Institutions and Organisations running institutional or non-institutional care services for children in need of care and protection for their registration under Section 34 of the Act.

#### 1. Quepem Block Inspection Team

1. Representative of Goa — Chairperson.  
State Commission for  
Protection of Child Rights
2. Representative of Child — Member.  
Welfare Committee,  
South Goa District
3. Health Officer, Primary — Member.  
Health Centre,  
Quepem-Goa
4. Representative of SCAN-India, — Member.  
Campal, Panaji-Goa, NGO
5. Child Development Project — Member  
Officer, Quepem Secretary.

#### 2. Pernem Block Inspection Team

1. Representative of Goa — Chairperson.  
State Commission for  
Protection of Child Rights
2. Representative of Child — Member.  
Welfare Committee,  
North Goa District

3. Health Officer, Primary — Member.  
Health Centre, Pernem-Goa
4. Representative of Children's — Member.  
Right in Goa, Porvorim-Goa,  
NGO
5. Child Development Project — Member  
Officer, Pernem Secretary.

1. The team shall obtain copies of rules, bye-laws memorandum of association, list of governing body, office bearers, balance sheet of past three years and statement of past record of social or public service provides by the institution or organisation to the State Government, etc.

2. The team shall after verifying that provisions made in the institution or organisation:

- i) for the care and protection of children,
- ii) health,
- iii) educations,
- iv) boarding and lodging facilities, if any,
- v) vocational facilities and,
- vi) scope of rehabilitation,

shall make recommendations for registration of such Organisations under sub-section (3) of Section 34 of the Act and as per this rule.

3. The CDPO/Member Secretary shall co-ordinate with the Members of the team and shall fix the inspections for the purpose and submit

the report alongwith the recommendations duly signed by the members present for the inspection.

By order and in the name of the Governor of Goa.

*Sunil P. Masurkar*, Director & ex officio Joint Secretary (Women and Child Development).

Panaji, 1st August, 2013.

#### Notification

No. 1-276-2005-06/DWCD/5394

Read: Order No. 1-276-05-06/DW&CD/1150 dated 25-07-2006.

In pursuance of the powers vested under sub-section (1) of Section 5 of the Right to Information Act, 2005 (Central Act No. 22 of 2005), the Member Secretary, Goa State Commission for Women, Panaji is hereby designated as State Public Information Officer for the Goa State Commission for Women, Panaji.

Further, the Chairperson, Goa State Commission for Women is designated as the First Appellate Authority for the purpose as required under Section 19(1) of the Act.

This is issued in supersession of Orders issued in this regard earlier.

*Sunil P. Masurkar*, Director (Women & Child Development).

Panaji, 5th August, 2013.

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